

22855 U.S. PTO
010204

Patent
Attorney Docket No. 244,610-241

To: Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

16018 U.S. PTO
10/751266
010204

NEW APPLICATION TRANSMITTAL
UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:

Inventor(s): TSUGITA, Ross S.; MAAHS, Tracy D.; JANG, Yue-Teh

Title: METHODS OF PROTECTING A PATIENT FROM EMBOLIZATION
DURING SURGERY

1. **PAPERS ENCLOSED HERewith FOR FILING:**

36 Page(s) of Specification:

29 Page(s) Claims:

1 Page(s) Abstract

17 Sheets of Drawings ☐ Informal ☒ Formal

2. **ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:**

☐ Power of Attorney

☐ Declaration

☐ Assignment to Edwards Lifesciences Corporation and assignment cover sheet.

☐ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35

☐ Priority Document No(s): _____

☐ Information Disclosure Statement w/PTO 1449 ☐ References

☐ Preliminary Amendment

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' (Label No. EV337190120US) in an envelope addressed to the Commissioner for Patents, Mail Stop Patent Application, PO Box 1450, Alexandria, VA 22313-1450.

December 31, 2003

Date of Deposit
IR1:1051097.1

Cynthia B. Pacheco
Cynthia B. Pacheco

3. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

| | | | | | |
|---|-----------------------|------|---|------------|-------------------|
| BASIC FILING FEE: | | | | | \$770.00 |
| Total Claims | 120 | - 20 | = | 100 x \$18 | \$1,800.00 |
| Independent Claims | 13 | - 3 | = | 10 x \$86 | \$860.00 |
| Multiple Dependent Claims | \$290 (if applicable) | | | | |
| TOTAL OF ABOVE CALCULATIONS | | | | | \$3,430.00 |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached. | | | | | (\$0.00) |
| Misc. Filing Fees (Recordation of Assignment) | | | | | \$0.00 |
| TOTAL FEES SUBMITTED HEREWITH | | | | | \$0.00 |

4. METHOD OF PAYMENT OF FEES

- ☐ A check in the amount of \$0.00.
- ☐ Charge Deposit Account No. **50-2862** in the amount of \$ -0-.
- ☒ This application is being filed without fee or Declaration under 37 CFR § 1.53

5. AUTHORIZATION TO CHARGE FEES TO DEPOSIT ACCOUNT 50-2862

- ☐ 37 CFR 1.16(a)(f) or (g) – **(Filing fees)**
- ☐ 37 CFR 1.16(a), (c) and (d) – **(Presentation of Extra Claims)**
- ☐ 37 CFR 1.16(e) – **(Surcharge for filing the basic filing fee and/or Declaration on a date later than the filing date of the application)**
- ☐ 37 CFR 1.17 – **(Any Application processing fees)**
- ☐ Credit Deposit Account No. **50-2862** for overpayment of fees

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: December 31, 2003

By: Diane K. Wong
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

TSUGITA, Ross S., et al.

Serial No.: Not yet assigned

Filed: Submitted herewith

For: METHODS OF PROTECTION A
PATIENT FROM EMBOLIZATION
DURING SURGERY

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

NOTIFICATION

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

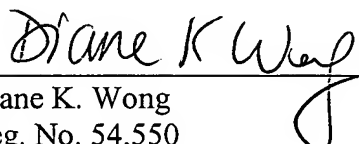
Sir:

Please be advised that claims 1–120 herein were copied substantially from Linder et al., U.S. Patent Application Serial No. 10/186,275 (Pub. No. US 2003/0004539 A1); Linder et al., U.S. Patent Application Serial No. 10/186,292 (Pub. No. US 2003/0004540 A1); Linder et al., U.S. Patent Application Serial No. 10/186,304 (Pub. No. US 2003/0004541 A1); and Linder et al., U.S. Patent Application Serial No. 10/186,255 (Pub. No. US 2003/0009188 A1).

Respectfully submitted,
O'MELVENY & MYERS LLP

Dated: December 31, 2003

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